

128947.1

PATENT

13017-3



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Patent Application of:

Applicants: GOELET, Philip, *et al.*

Application No.: 09/258,132

Filed: 26 February 1999

For: "Nucleic Acid Typing by
Polymerase Extension of
Oligonucleotides Using
Terminator Mixtures"

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) Office of the Deputy Commissioner
) for Patent Examination Policy
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Adjustment date: 10/26/2006 CKHLOK
09/25/2006 MGE BREM1 00000014 09258132
01 FC:1462 -400.00 DP

Repln. Ref: 10/26/2006 CKHLOK 0011064800
09/25/2006 MGE BREM1 00000014 09258132
01 FC:1462 \$520.00 CR

Kalow & Springut LLP
488 Madison Avenue, 19th Floor
New York, New York 10022

20 September 2006

Mail Stop Petition
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

09/25/2006 MGE BREM1 00000014 09258132
01 FC:1462 400.00 DP

**PETITION UNDER 37 CFR 1.183
TO SUSPEND THE RULES**

SIR or MADAM:

In connection with the patent application identified above, the attorneys for the applicants hereby petition the United States Patent and Trademark Office under 37 CFR 1.183 to suspend rule 37 CFR 1.136(a)(1)(i) and enter a petition for a one-month extension of time under 37 CFR 1.136(a), attached as Appendix B, and a statement making of record the substance of a

Certificate of Mailing Under 37 CFR 1.8

I hereby declare that this Petition to Suspend the Rules with Appendices A- C attached are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, Post Office Box 1450, Arlington, Virginia 22313-1450, on

20 September 2006.
Date

J. David Ellett, Jr. (Reg. No. 27,875)



[modified]

PTO/SB/22 (12-04)

Approved for use through 07/31/2006. OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) FY 2005 <small>(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)</small>		Docket Number (Optional) 13017-3	
Application Number 09/258,132		Filed 26 February 1999	
For Nucleic Acid Typing by Polymerase Extension of Oligonucleotides Using Terminator Mixtures			
Art Unit 1634		Examiner MYERS, Carla J.	

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

	<u>Fee</u>	<u>Small Entity Fee</u>	
<input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	\$ <u>120.00</u>
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225	\$ _____
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510	\$ _____
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795	\$ _____
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080	\$ _____

☐ Applicant claims small entity status. See 37 CFR 1.27.

☒ A check to cover the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account Number 11-0171. I have enclosed a duplicate copy of this sheet.

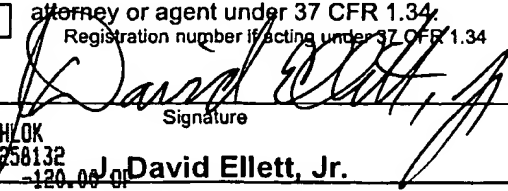
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the ☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).

☒ attorney or agent of record. Registration Number 27,875

☐ attorney or agent under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34 _____


 Signature

20 September 2006
 Date

J. David Ellett, Jr.
 Typed or printed name

(212)813-1600
 Telephone Number

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Adjustment date: 10/26/2006 CKH/LK
 09/25/2006 MGBREH1 00000014 09258132
 02 FC:1251

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND					
1 Date of Request: <u>10/26/06</u>		2 Serial/Patent # <u>09/258,132</u>			
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT	
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11 REFUND REQUESTED BY: <u>Christina T. Donnell</u>					
TYPED/PRINTED NAME: <u>Christina T. Donnell</u>		TITLE: <u>Petitions Attorney</u>			
SIGNATURE: <u>C T Donnell</u>		PHONE: <u>272-3211</u>			
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